

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 365 be amended to read as follows:

- 1 Page 17, between lines 11 and 12, begin a new paragraph and insert:
2 "SECTION 15. IC 12-15-2-23.7 IS ADDED TO THE INDIANA
3 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2009]: **Sec. 23.7. The office may implement**
5 **the optional provision allowed in 42 U.S.C. 1396p(c)(1)(A) to apply**
6 **penalties specified in 42 U.S.C. 1396p(c)(1)(A) to a**
7 **noninstitutionalized individual or the spouse of the**
8 **noninstitutionalized individual for the disposal of assets for less**
9 **than fair market value if the number of noninstitutionalized**
10 **individuals participating in:**
11 (1) an aged and disabled Medicaid waiver; or
12 (2) a home and community based services waiver;

1 **is equal to or greater than the number of institutionalized**
2 **individuals participating in the Medicaid program."**

3 Renumber all SECTIONS consecutively.
 (Reference is to ESB 365 as printed March 24, 2009.)

Representative Brown T